

FACTUAL BASIS

Afterwards, they agreed to travel to Miami, and when they arrived, they again engaged in sexual intercourse in the vehicle. Next they drove back to Durham but did not return to the home of the victim. Instead, they drove north, heading to New York, where relatives of Diaz lived. On April 6, 2006, the two were pulled over in a traffic stop by New Jersey law enforcement authorities, who sensed that the relationship between victim D.M. and Diaz was suspect and, placing D.M. in their patrol vehicle, asked Diaz to follow them to their local station. Diaz drove behind the squad

car to the station, then got out of his Civic and fled. He was apprehended at a bus station in New York the ^{same WLB} ~~next~~ day.

During questioning, Victim D.M. reported to counselors that she had engaged in sexual activity as described above, and evidence of same was collected from her body at a local medical facility. After being advised of his rights pursuant to the Miranda decision, Diaz also made a statement, reduced to writing, acknowledging the travel and the sexual encounters. Victim D.M. reported that they were in love and that their plan on arriving in New York was for the two of them to get married and live for a while with his relatives.

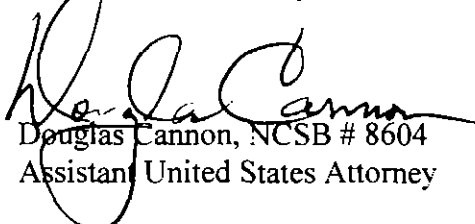
Defendant Diaz was then 35.

This the 5th day of January, 2007.

*Stipulate that the activity described in Count
Five violates Florida
Statutory Law - WLB*

Respectfully submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:06CR433-1
	:	
PEDRO FUENTES DIAZ	:	

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2007, the foregoing was provided by hand-delivery
to the following: Vincent Rabil, Attorney at Law.


DOUGLAS CANNON
Assistant United States Attorney